

THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

<b>JASEN WRIGHT, Individually, and on Behalf</b>	)	
<b>of All Others Similarly Situated,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	<b>Case no. 12-cv-04949</b>
<b>v.</b>	)	
	)	<b>Judge Virginia M. Kendall</b>
<b>PIRTANO CONSTRUCTION COMPANY,</b>	)	
<b>INC., JACK HORN, COMCAST</b>	)	<b>Magistrate Judge Daniel G. Martin</b>
<b>CORPORATION, and COMCAST CABLE</b>	)	
<b>COMMUNICATIONS MANAGEMENT, LLC</b>	)	
	)	
<b>Defendants.</b>	)	
	)	

**JOINT MOTION FOR FINAL APPROVAL OF CLASS SETTLEMENT**

Named Plaintiff JASEN WRIGHT (“Named Plaintiff” or “Class Representative”), on behalf of himself and all members of the Settlement Class<sup>1</sup> (“Class Members”) (and all Plaintiffs hereinafter collectively referred to as “Plaintiffs”) on one hand, and Defendants PIRTANO CONSTRUCTION COMPANY, INC. and JACK HORN (collectively, “Pirtano Defendants”) and Defendants COMCAST CORPORATION and COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC (collectively, “Comcast”) (and all Defendants hereinafter collectively referred to as “Defendants”) on the other hand (collectively, the “Parties”), by their respective attorneys, respectfully move this Court for entry of an Order granting final approval of the Parties’ settlement of Plaintiffs’ claims that Defendants violated the Illinois Minimum Wage Law, 820 ILCS § 105/1, *et seq.* (“IMWL”), the Illinois Wage Payment and Collection Act, 820 ILCS § 115/1, *et seq.* (“IWPCA”) and the Illinois Employee Classification Act, 820 ILCS §

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<sup>1</sup> Where applicable, capitalized terms not otherwise defined in this Motion are as they are defined in the Class Action Settlement Agreement submitted with Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Settlement.

185/1, *et seq.* (“IECA”).<sup>2</sup> In support of their motion, the Parties submit a supporting Memorandum of Law and exhibits attached thereto, and state as follows:

1. On December 12, 2013, the Court certified the Class for settlement purposes only and granted preliminary approval to the Parties’ \$442,500.00 Settlement of Plaintiffs’ claims. (Dkt. No. 68).

2. Final approval is appropriate where the court determines that a settlement is fair, adequate, and reasonable. *Synfuel Techs., Inc. v. DHL Express (USA), Inc.*, 463 F.3d 646, 652 (7th Cir. 2005).

3. The Settlement in this case has been achieved in good faith and through arm's-length negotiations and is not the product of fraud or collusion.

4. The Settlement offers substantial monetary relief to the Settlement Class.

5. The Settlement is overwhelmingly supported by Class Members. The fact that only one (1) of the Class Members timely requested exclusion from the Settlement and not a single Class Member objected to the Settlement shows strong support for the Settlement.

6. The record indicates that all criteria under Federal Rule of Civil Procedure 23 are met for purposes of settlement for the Settlement Class, and the Parties have provided the Class with adequate notice of the terms and conditions of the Settlement in a manner intended to maximize the due process rights of the Class Members.

7. Additionally, experienced Counsel for the Parties have extensively analyzed the claims and issues herein, and have certified that the Settlement is fair, reasonable, and adequate, and in the best interest of the Class. Thus, the Court should: (1) grant final approval of the Settlement Agreement; (2) find the Settlement fair, reasonable, adequate, and in the best interests

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<sup>2</sup> The Named Plaintiff also asserted individual claims under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* (“FLSA”).

of the Class Members; (3) approve Class Counsel's application for an award of attorneys' fees and costs; (4) approve the Named Plaintiff's application for a Service Payment; (5) approve the payment of reasonable Settlement Administration Costs; and (6) enter the Plaintiffs' proposed final approval order dismissing the Action and releasing and barring the claims released by Class Members under the terms of the Settlement Agreement.

WHEREFORE, the Parties respectfully request that the Court enter the proposed Order of Final Approval of the Settlement, attached as Exhibit 1.

Dated: March 28, 2014

JASEN WRIGHT,

COMCAST CORPORATION and  
COMCAST CABLE COMMUNICATIONS  
MANAGEMENT, LLC,

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One of His Attorneys

By: /s/ Sari Alamuddin  
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